UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/347
25 March 1994
ENGLISH
ORIGINAL: FRENCH

Draft resolution

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876 (1993) of 19 October 1993, 881 (1993) of 4 November 1993, 892 (1993) of 22 December 1993, 896 (1994) of 31 January 1994 and 901 (1994) of 4 March 1994,

Having considered the reports of the Secretary-General on the situation in Abkhazia (Republic of Georgia) of 3 March 1994 (S/1994/253) and 18 March 1994 (S/1994/312 and Add.1),

Regretting that no agreement on a political settlement and on the return of refugees and displaced persons has so far been reached in the negotiations between the Georgian and Abkhaz sides,

Welcoming the letter from the Permanent Representative of the Republic of Georgia of 24 March 1994 (S/1994/343) informing of the readiness of the Georgian Government to continue the negotiations on a comprehensive political settlement,

Stressing again the grave situation in the Republic of Georgia created by the presence of large numbers of persons displaced from Abkhazia, Republic of Georgia,

Deploring in particular the violence which occurred in early February,

1. Takes note of the reports of the Secretary-General of 3 and 18 March 1994 (S/1994/253 and S/1994/312);

2. Calls upon once again all concerned to respect the sovereignty and territorial integrity of the Republic of Georgia;

3. Stresses the right of all refugees and displaced persons to return to their homes in secure conditions, throughout Abkhazia, Republic of Georgia, and urges the parties to come to an expeditious agreement with a view to facilitating the effective realization of this right;

4. Urges also the parties to resume the negotiations as soon as possible and to achieve substantive progress towards a political settlement, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia, based on the principles set out in its previous resolutions, so that the Security Council may adequately consider the possible establishment of a peace-keeping force in Abkhazia, Republic of Georgia;

5. Encourages donor States to assist the Republic of Georgia to enable it to overcome the consequences of the conflict, and to make contributions in response to the United Nations humanitarian appeal;

6. Decides to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) for an additional interim period terminating on 30 June 1994;

7. Urges the parties to take all necessary steps to ensure the security of UNOMIG personnel and its freedom of movement throughout the territory of the Republic of Georgia;

8. Requests the Secretary-General to report to the Council on whatever progress is made in the negotiations as soon as it is achieved, and in any case no later than 21 June 1994, and on the situation on the ground, with special attention to circumstances which might warrant a peace-keeping force and on the modalities for such a force;

9. Decides to remain actively seized of the matter.

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Security Council

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GENERAL

S/1994/348
26 March 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 25 MARCH 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 23 March 1994 from Mr. Mohammed Said al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning Security Council resolution 778 (1992).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 23 March 1994 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I should like to state the following with regard to Security Council resolution 778 (1992):

1. In paragraph 1 of the above-mentioned resolution, the Council decides that all States in which there are funds of the Government of Iraq that represent the proceeds of sale of Iraqi petroleum or petroleum products, paid for on or after 6 August 1990, shall cause the transfer of those funds as soon as possible to the escrow account provided for in resolutions 706 (1991) and 712 (1991).

Funds that may have been placed in Iraqi deposit accounts cannot legally be included in this category; even if they are derived from the sale of petroleum, by being placed in the account they cease to belong to this category and become simply Iraqi deposits, inasmuch as the source of the obligation has changed from a contract of sale to a contract of bank deposit. Consequently, they no longer represent the proceeds of sale of petroleum within the meaning of the resolution.

The above is supported by the contents of paragraph 2 of the same Security Council resolution, which refers to the proceeds of sale of petroleum before they are placed in any account, which means that the proceeds of the sale are placed directly in the escrow account.

2. The rules of banking practice provide that an escrow account does not lose its link to the owner of the funds - in this case, the Government of Iraq - and, accordingly, the view of Iraq should be consulted in any action taken in respect of the account, in its capacity as legitimate owner of all these funds.

3. It should also be borne in mind that general principles require that these funds deposited in the escrow account be invested in a fair manner and the interest added to the principal.

From the above, it is clear that the provisions of the Security Council resolution in question are not legal but are conducive to the collapse of the stable banking practices that constitute the essence and the basis of international trade.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

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Security Council

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GENERAL

S/1994/349
26 March 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 25 MARCH 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to carry out reconnaissance, cause provocation and drop heat flares have continued over the period 11 to 20 March 1994.

11 March 1994

(a) Northern region: 15 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Zakho and Amadiyah.

(b) Southern region: 29 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Qurnah, Nasiriyah, Samawah, Qal'at Salih, Salman, Busayyah, Khidr and Jalibah.

12 March 1994

(a) Northern region: 29 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

(b) Southern region: 34 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Basra, Qurnah, the area to the south of Diwaniyah, the area to the south of Najaf, Qal'at Salih and Busayyah.

At 1210 hours on 12 March 1994 a United States TR-1 reconnaissance aircraft penetrated Iraqi airspace flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres. It left at 1445 hours in the direction of Kuwaiti airspace.

13 March 1994

Southern region: 42 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Samawah, Busayyah, Jalibah, Qal'at Salih and Shanafiyah.

14 March 1994

Southern region: 43 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Samawah, Qurnah, Jalibah, Rifa'i, Salman, Artawi and Busayyah.

15 March 1994

Southern region: 30 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Shatrah, Jalibah, Qal'at Salih, Qurnah, Artawi, Busayyah and Lasaf.

16 March 1994

(a) Northern region: 19 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Zakho, Tall Afar, Amadiyah and Shaqlawah.

(b) Southern region: 20 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Qurnah, Busayyah, Jalibah, Qal'at Salih, Salman and Ushbayjah.

17 March 1994

(a) Northern region: 34 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Zakho, Tall Afar, Amadiyah, Aqrah, Sinjar and Shaqlawah.

(b) Southern region: 47 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Qal'at Salih, Qurnah, Salman, Chabaish, Busayyah, Jalibah and Artawi.

At 1250 hours on 17 March 1994, a United States TR-1 reconnaissance aircraft penetrated at a speed of 600 kilometres per hour and at an altitude of 20,000 metres. It overflew Jalibah, Qal'at Salih, Amarah, Nasiriyah, Shatrah, Qal'at Sukkar, the area to the south of Diwaniyah and Samawah. It left at 1435 hours in the direction of Saudi airspace.

At 1340 hours on 17 March 1994, a hostile two-aircraft formation dropped four heat flares to the east of the Zummar area in the Ninawa Governorate.

18 March 1994

(a) Northern region: 37 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

(b) Southern region: 38 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Amarah, Qal'at Salih, Chabaish, Artawi, Jalibah, Ushbayjah and Busayyah.

19 March 1994

(a) Northern region: 23 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 38 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Qurnah, Busayyah, Jalibah, Qal'at Salih and Artawi.

20 March 1994

(a) Northern region: 51 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Zakho, Tall Afar, Dukan and Ayn Zalah.

(b) Southern region: 44 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Amarah, Qurnah, Salman, Busayyah, Jalibah, Ushbayjah and Artawi.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/1994/350
26 March 1994

ORIGINAL: ENGLISH

LETTER DATED 25 MARCH 1994 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a statement of 24 March 1994 by the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia concerning the decision of the Secretary-General of the United Nations to send Turkish troops to Bosnia and Herzegovina.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

Annex

Statement by the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia concerning the decision of the Secretary-General to send Turkish troops to Bosnia and Herzegovina

The Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia has learned with concern that the Secretary-General of the United Nations has decided to accept the offer of Turkey to send its troops to former Bosnia and Herzegovina. Historical facts, as well as the attitude of Turkey towards the crisis in Bosnia and Herzegovina, provide sufficient reasons not to deploy Turkish troops in the territory of the former Socialist Federal Republic of Yugoslavia, particularly in former Bosnia and Herzegovina, on whatever grounds. Instead of doing everything as a Balkan country to help calm down the conflict and end the hostilities by taking an impartial approach to the civil war in Bosnia and Herzegovina, by its bias and one-sidedness, Turkey has negatively influenced the developments in the territory of that former Yugoslav republic.

The decision of the Secretary-General to send Turkish troops to Bosnia and Herzegovina is not only against the interest of easing the situation in this region but can also have a direct bearing on the escalation of the conflict, contrary to all the efforts made towards achieving a lasting peace and ending the conflict in Bosnia and Herzegovina.

The Security Council and the Secretary-General are, under the Charter of the United Nations, directly responsible for peace and international security. Ending the war in Bosnia and Herzegovina is now of exceptional importance, not only for peace in the Balkans, but also for the stability in Europe. Therefore, the Security Council and the Secretary-General must do everything to bring an early end of hostilities in the civil war and achieve a lasting peace in Bosnia and Herzegovina. By the decision to send Turkish troops to Bosnia and Herzegovina, the Secretary-General has made no contribution to peace, but has rather made the situation more complex and created the grounds for further escalation of the conflict.

The Federal Ministry of Foreign Affairs wishes to emphasize that, by accepting the offer of Turkey, the Secretary-General has acted against the principle agreed upon at the establishment of the mandate of the United Nations Protection Force that no troops of neighbouring countries of the former Socialist Federal Republic of Yugoslavia and those of States whose presence in its territory is not acceptable for historical reasons, shall be deployed in the territory of the former Socialist Federal Republic of Yugoslavia.

UNITED
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Security Council

Distr.
GENERAL

S/1994/351
28 March 1994
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 28 MARCH 1994 FROM THE PERMANENT REPRESENTATIVE OF CAMEROON TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to my letter of 28 February 1994 (S/1994/228), I have the honour to transmit to you the communiqué of the Central Organ of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity (OAU) on the border dispute between Nigeria and Cameroon.

I should be grateful if you would have this communiqué circulated as a document of the Security Council.

(Signed) Pascal BILOA TANG
Ambassador
Permanent Representative

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Annex

[Original: English]

Communiqué dated 24 March 1994 issued by the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution, at the level of ministers

The Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution, met in its second ordinary session, at the ministerial level, in Addis Ababa, Ethiopia, on 24 March 1994, under the chairmanship of H.E. Mr. Amre Moussa, Minister for Foreign Affairs of Egypt. It reviewed the various conflict situations in Africa, and considered ways and means by which OAU could tackle them. The Central Organ adopted the report of its first ordinary session that was held on 17 and 18 November 1993, and also approved the report submitted by the Ambassadors of that body on the implementation of decisions and resolutions relating to the work of the Central Organ since the Cairo Summit of June 1993.

I. CONFLICT SITUATIONS

A. Angola

The Central Organ appreciated the comprehensive briefing given by the Angolan Minister for Foreign Affairs. It noted that progress had been made in the previously adopted agenda, particularly on the military aspect thereof.

On the political aspects, the Lusaka negotiations are encountering some difficulties, which have created an impasse arising from the offer made by the Government to the União Nacional para a Independência Total de Angola for the latter to participate in the institutions of State. The meeting commended the efforts exerted by the Special Representative of the United Nations Secretary-General in maintaining the momentum of the Lusaka talks.

The Central Organ requested the Secretary-General of OAU to monitor the negotiations process closely and explore ways through which OAU could be of assistance in the peace process.

B. Liberia

The Central Organ appreciated the update on Liberia given by the OAU Eminent Person to Liberia, the Reverend C. Banana. It took note of the progress that has been made in the implementation of the Cotonou Agreement, particularly the setting up of the transitional institutions and the commencement of the process of disarmament. It called on all the parties in Liberia to accelerate the process of disarmament and proceed with the full implementation of the Cotonou Accords. It urged the Secretary-General, through the Eminent Person, to continue to monitor the transition process in Liberia until democratic elections are held in that country.

C. Somalia

The meeting, reaffirming the position of OAU contained in the resolution of the fifty-ninth session of the OAU Council of Ministers, expressed appreciation for the efforts exerted by the Current Chairman of OAU, President Hosni Mubarak, and the Secretary-General of OAU, to bring about national reconciliation in Somalia. The Central Organ also lauded the efforts of Ato Meles Zenawi, President of the Transitional Government of Ethiopia, to assist various Somali factions to overcome the obstacles hindering national reconciliation in Somalia.

The Central Organ took note of the Declaration by the leaders of the Somali political organizations signed in Nairobi, on 24 March 1994, by the various Somali political organizations. The Central Organ believed that this Declaration is a watershed in the resumption of dialogue among the various parties. The meeting urged them to proceed with the course of common action which is envisaged in the Declaration, leading to a National Reconciliation Conference and the election of a President and Vice-Presidents, the appointment of a Prime Minister, the establishment of an independent judiciary, as well as the completion and review of the formation of local authorities, where needed, and their establishment, where necessary.

II. OTHER CONFLICTS

A. Congo

The meeting took note of the role played by the OAU Secretary-General in resolving the impasse in the Congo, through his Special Envoy as well as several missions from the General Secretariat. It also paid tribute to the contributive role played by President Omar Bongo of Gabon in the entire process. It urged the various parties in the Congo to consolidate the gains made in the course of the transition to a democratic dispensation in that country. It further urged the Secretary-General to continue to monitor the democratic process in the Congo, in order to ensure that there is no relapse or reversal in the process.

B. Rwanda

The Central Organ took note of the progress made in the peace process, leading to the signing of the Arusha Peace Agreement. It however was deeply concerned by the lack of progress in the installation of the transitional institutions provided for in the Arusha Peace Agreement. It decided to issue a special appeal to all the parties in Rwanda for progress to be made in the implementation of the provisions of the Arusha Peace Agreement.

C. Burundi

The Central Organ took note of the comprehensive briefing made by the Secretary-General. It also appreciated the update, made by the Burundi delegation.

The Central Organ was deeply concerned by the deteriorating security situation in Burundi, particularly by reports of escalating violence involving mass killings. The meeting requested the Secretary-General to continue to monitor the situation in Burundi and seek to establish contact with the Burundi Government in order to verify the true state of the current political and security situation. It further urged the Secretary-General to maintain contacts with the five member States contributing military personnel to the OAU Mission in Burundi (OMIB), the donor countries, as well as all other interested parties.

III. BORDER DISPUTE BETWEEN NIGERIA AND CAMEROON

The Central Organ noted that it was now formally seized with the dispute between Nigeria and Cameroon over the Bakassi Peninsula. It had listened carefully to the statement by the Minister for Foreign Affairs of Cameroon. It had listened to a statement by the representative of Nigeria. It had listened to the representative of the current Chairman of OAU and had taken note of the report prepared by the Secretariat on the question.

The Central Organ, while expressing grave concern at the escalating situation and the implications for the two countries and the region as a whole, took note with satisfaction of the position of the two parties that they are for a peaceful settlement of the dispute. In this connection, the Central Organ underscored the importance of achieving a peaceful settlement based on the charters of the United Nations and OAU. It reaffirmed its attachment to the respect of the principle of the inviolability of frontiers inherited from the colonial period. It also reaffirmed its attachment to the respect of sovereignty, territorial integrity and independence of all States.

The Central Organ called upon the parties to exercise restraint and to take appropriate measures to restore confidence, including the consideration of the withdrawal of troops and continuation of dialogue.

The Central Organ took note, with appreciation, of the continued efforts undertaken by President Mubarak, President of Egypt, Current Chairman of OAU, and President Edyadma of Togo aimed at defusing the situation and reaching a peaceful settlement.

The Central Organ requested the Secretary-General to follow the situation and to report, within a month, on the outcome of these efforts.

UNITED
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Security Council

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GENERAL

S/1994/352
29 March 1994
ENGLISH
ORIGINAL: FRENCH

Draft resolution

The Security Council,

Reaffirming its resolutions 621 (1988) of 20 September 1988, 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 725 (1991) of 31 December 1991 and 809 (1993) of 2 March 1993,

Appreciative of the efforts undertaken by the Secretary-General and his Special Representative to address concerns of both parties and implement the Settlement Plan regarding the question of Western Sahara (S/21360 and S/22464), as adopted by resolutions 658 (1990) and 690 (1991),

Recalling the reports of the Secretary-General on the situation concerning Western Sahara dated 21 May 1993 (S/25818), 28 July 1993 (S/26185) and 24 November 1993 (S/26797),

Recalling the letters from the President of the Council dated 28 May 1993 (S/25860), 4 August 1993 (S/26239) and 6 December 1993 (S/26848) in response to those reports,

Having considered the Secretary-General's report of 10 March 1994 and its annexes (S/1994/283),

Recalling paragraph 22 of the Secretary-General's report (S/1994/283),

Recalling that, in conformity with the Settlement Plan, it was for the Secretary-General to determine the instructions for the review of the applications for participation in the referendum,

Urging the two parties to cooperate fully with the Secretary-General in implementing the Settlement Plan which has been accepted by them,

Committed to reaching a just and lasting solution of the question of Western Sahara,

1. Welcomes the report of the Secretary-General on the situation concerning Western Sahara of 10 March 1994;

2. Welcomes the compromise proposal of the Secretary-General concerning the interpretation and application of criteria for voter eligibility (S/26185) as a sound framework for determining eligibility for participation in the referendum for self-determination of the people of Western Sahara; and takes note of the explanatory note of the Special Representative dated 27 September 1993 (S/26185), and the letter of the Special Representative dated 4 February 1994 included in the annexes to the Secretary-General's report of 10 March 1994;

3. Expresses its deep concern over continuing difficulties and delays in the work of the Identification Commission;

4. Agrees to the course of action as outlined in Option B in the Secretary-General's report of 10 March 1994, that the Identification Commission should complete the analysis of all applications received and proceed with the identification and registration of potential voters by 30 June 1994, on the basis of the Secretary-General's compromise proposal, the terms of reference of the Identification Commission, and the relevant provisions of the Settlement Plan; and supports the Secretary-General's intention to continue his efforts to obtain the cooperation of both parties on that basis;

5. Requests, in this context, the Secretary-General to report to the Council not later than 15 July 1994 on progress achieved in the work of the Identification Commission as well as other aspects relevant to the fulfilment of the Settlement Plan with a view to deciding on further action necessary for fulfilment of the United Nations mission in Western Sahara;

6. Urges strict compliance with the timetable for Option B as laid out in paragraph 24 (a) of the Secretary-General's report of 10 March 1994, with a view to holding the referendum by the end of 1994;

7. Calls for full cooperation with the Secretary-General, his Special Representative and the Identification Commission in their efforts to implement the Settlement Plan, which has been accepted by both parties;

8. Decides, in the event that the Secretary-General notifies the Council in the report called for in paragraph 5 above that the referendum cannot be held by the end of 1994, and in view of obligations of the parties to cooperate fully with the Secretary-General, to consider MINURSO's future, including an examination of options regarding its mandate and continued operations;

9. Urges the Secretary-General, in the context of the implementation of paragraph 4 above, to make every effort to maintain MINURSO at the strength needed to carry out Option B, and further invites him to make proposals for the necessary adjustments to the present role and strengths of MINURSO, as part of the report called for in paragraph 5 above;

10. Decides to remain seized of the matter.

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General Assembly
Security Council

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S/1994/353
28 March 1994
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ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 35
QUESTION OF PALESTINE

SECURITY COUNCIL
Forty-ninth year

Letter dated 25 March 1994 from the Permanent Representative of the Libyan Arab Jamahiriya addressed to the Secretary-General

With reference to the statement by the Permanent Representative of the United States of America on 18 March 1994, following the adoption of Security Council resolution 904 (1994), the Arab Group at the United Nations would like to reaffirm the general framework that determines the legal status of the Arab City of Jerusalem.

I. The point of departure is an established and undisputed historical fact, namely, that Arab Jerusalem is a part of the Palestinian and Arab territories occupied by Israel in 1967.

II. Numerous resolutions have been adopted by the Security Council, the General Assembly and other relevant bodies confirming this fact, among them Security Council resolutions 252 (1968), 267 (1969), 298 (1971) and 471 (1980), which state that all legislative and administrative measures and actions taken by Israel in Jerusalem, including expropriation of land and properties, which tend to change the legal status of Jerusalem are invalid and cannot change that status.

III. The Security Council, in its resolutions concerning the situation in the occupied Palestinian territories, the most recent being resolution 904 (1994) of March 1994, affirmed the applicability of the fourth Geneva Convention relative to the Protection of Civilian Persons in Times of War, of 12 August 1949, to the territories occupied by Israel in June 1967, including Jerusalem, and Israel's responsibility thereunder.

IV. The Security Council, in numerous resolutions, including resolution 478 (1980) of 30 August 1980, affirmed its non-recognition of what Israel termed "the basic law on Jerusalem", and the Council called upon those States which had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City.

The Arab Group at the United Nations affirms its confidence that all States Members of the United Nations will constantly strive to respect their international obligations arising out of the resolutions of the relevant organs, in accordance with the provisions of the Charter and the rules of international legitimacy.

I should be grateful if you would have the present letter circulated as a document of the forty-eighth session of the General Assembly, under agenda item 35, and of the Security Council.

(Signed) Ali Ahmed ELHOUDERI
Permanent Representative of
the Great Socialist People's
Libyan Arab Jamahiriya to the
United Nations
Chairman of the Arab Group
for the current month

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Security Council

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GENERAL

S/1994/354
29 March 1994

ORIGINAL: ENGLISH

LETTER DATED 28 MARCH 1994 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In accordance with instructions I have received, I have the honour to request you to circulate the enclosed statement issued by the Press Centre of the Ministry of Foreign Affairs of the Republic of Georgia on 24 March 1994 as a document of the Security Council.

(Signed) Peter CHKHEIDZE
Permanent Representative

Annex

Statement issued by the Press Centre of the Ministry of Foreign Affairs of Georgia on 24 March 1994

In the morning of 24 March 1994 at 8.40 a.m. the Gudauta separatist bandit formations began massive shelling of the peaceful villages of Latashi, Gentsvishi, Azhara, Omarishara and Sakeni in the Kodori valley of the Autonomous Republic of Abkhazia.

The shelling, using howitzers and mortars, continued throughout the day and is still taking place.

The village of Lata came under attack and tens of peaceful citizens were killed and wounded.

These aggressive actions of the separatist forces constitute blatant disregard of the peacemaking activities of the United Nations and the Security Council. This bloody and cynical action proves once again that not only do the Gudauta separatists have no wish to achieve peace in Abkhazia, but that by escalating this conflict they are in fact striving to achieve the goals of outside fundamentalist and imperialist forces.

The Government of the Republic of Georgia expresses its hope that the Security Council will take this fact into consideration and will evaluate it accordingly.

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Security Council

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GENERAL

S/1994/355
25 March 1994

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication which he has received from the Acting Director-General of the International Atomic Energy Agency (IAEA).

Annex

Letter dated 23 March 1994 from the Acting Director-General of the International Atomic Energy Agency addressed to the Secretary-General

Please find attached the report of the twenty-third IAEA inspection in Iraq under Security Council resolution 687 (1991). You may deem it appropriate to transmit the report to the members of the Security Council. The Director-General remains, of course, available with the Chief Inspector, Mr. Garry Dillon, for any consultations you or the Council may wish to have.

(Signed) Boris SEMENOV
Acting Director-General

Appendix

Report covering the period 4-11 February 1994 on the Twenty-Third International Atomic Energy Agency on-Site Inspection in Iraq under Security Council Resolution 687 (1991)

SALIENT POINTS

- The objectives of the twenty third IAEA inspection in Iraq involved the implementation of activities in connection with the on-going monitoring and verification plan (OMV); inspections at sites with previous nuclear or nuclear related missions in order to clarify details of reports prepared by Iraq in accordance with Annex 2 of the OMV; clarification of matters related to the origin and usage of natural uranium; installation of a surveillance system in a machine-tool workshop; confirmation of the status of Tamuz-1 and Tamuz-2 reactor components; clarification of some results obtained by UNSCOM in the course of the second gamma survey exercise. A total of 41 facilities, installations and sites were visited in the course of this inspection.

- Monitoring inspections were carried out at eight sites with previous nuclear or nuclear related missions. Additionally inspections were carried out at sites where items of equipment subject to monitoring in accordance with Annex 3 of the OMV were located and at a small number of randomly selected sites which had been declared to have power supplies exceeding 10 MVA. Requests were received from the Iraqi side for the release, for alternative usage, of equipment and materials from Tuwaitha, Al Qaim and Tarmiya. To the extent practicable the equipment and material was examined during the inspection visits and a formal response will be provided to Iraq in due course.

- Further progress was made in the course of the inspection in clarifying, with the Iraqi side, the required scope and preferred format for the reports submitted in accordance with Annex 2 of the IAEA's OMV plan. Priority of review was given to reports related to those facilities, installations or sites which had been identified as having a previous nuclear or nuclear related utilisation. It was agreed that Iraq would, on an urgent basis, provide updated reports on all sites subject to reporting in accordance with Annex 2 and Annex 3 of the OMV.

- The work started in IAEA-22, involving the detailed microscopic examination, bulk density assessments and sampling for chemical analysis of UO_2, declared by the Iraqi side to have been supplied by Brazil, was continued. The results of this work support a conclusion that the material is of Brazilian origin but, as previously reported, the assistance of the Brazilian Government will be necessary to corroborate this conclusion.

- A surveillance system was installed and commissioned in the "vertical boring machines workshop" at Um Al Ma'arik. The surveillance system is designed to provide a means of continuous monitoring of the nature of the work pieces processed in that workshop.

- Verification of the inventory of the "sensitive" components of the Tamuz reactors, TMZ-1 and TMZ-2 was carried out with the assistance of an expert from France.

- A number of ground level gamma spectrometric measurements were made at Tuwaitha, Al Jesira and Al Atheer with the purpose of clarifying some of the readings obtained by UNSCOM during the second gamma survey exercise.

- The second and final consignment of irradiated fuel, contained in four shielded transport flasks, was transferred to the Habbaniya airport on the last day of IAEA-23 and was successfully transported, by air, to the Russian Federation on 1994-03-12.

- The planned transfer of the HMX material to alternative storage in Bunker # 3 at Muthanna was postponed in consideration of the ongoing activities of UNSCOM 68. These activities resulted in the need for full protective clothing, including respiratory protection, for all personnel entering the bunker area and it was clear that, until all toxic agents were satisfactorily destroyed or contained, the handling of HMX would entail unnecessary risk.

INTRODUCTION

1. This report summarises the results of the twenty-third inspection carried out in Iraq by the IAEA under the United Nations Security Council resolution 687 (1991), with the assistance and co-operation of the Special Commission of the United Nations. The inspection took place from 4 to 11 February 1994 and was headed by Mr. Garry Dillon of the IAEA as Chief Inspector. The team consisted of 17 inspectors (comprising 12 nationalities).

2. The objectives of the inspection were:

   - to conduct inspections at facilities, installations or sites previously visited in connection with Annex 2 of the on-going monitoring and verification plan (OMV) and discussions with the Iraqi counterparts on the scope and format of the related reports.

   - to conduct inspections at sites in connection with equipment declarations in accordance with Annex 3 of the OMV;

   - to continue the work initiated in IAEA-22 regarding the origin and usage of natural uranium;

   - to install a video surveillance system through which to monitor the nature of the workpieces processed in the "vertical boring machines" workshop at Um Al Ma'arik;

   - to locate and identify the major components and spare parts of the Tamuz-1 and Tamuz-2 reactors and to clarify the heavy water balance of the installation;

   - to conduct ground level gamma spectrometric measurements in order to investigate some of the signals detected in the course of the second gamma survey exercise carried out by UNSCOM in December 1993.

   - to monitor the progress of the ongoing task of removing all of the irradiated enriched uranium from Iraq.

The originally planned activity to witness the relocation of the HMX currently in sealed storage in Al QaQaa was postponed to a later inspection.

3. The 41 facilities, installations or sites visited during the inspection are listed in Table 1.

ACTIVITIES AT SITES WITH PREVIOUS NUCLEAR OR NUCLEAR RELATED MISSIONS

4. Inspections were made at the eight sites with previous nuclear or nuclear related missions viz: Tuwaitha, Al Sharqat, Al Jesira, Tarmiya, Rashdiya, Al Qaim, Al Atheer (Firnas) and Al Furat in order, inter alia, to further clarify the information contained in reports submitted by Iraq, in April, August and November 1993, in accordance with Annex 2 of the OMV.

5. In the course of the first of these inspections (at Tuwaitha) the requirements for the scope and format for the above mentioned reports were discussed in detail with the Iraqi counterparts. It was agreed that priority would be given to the preparation of two sets of reports for each of the relevant facilities, installations or sites. The first set of reports would describe the status and ongoing activities of the facilities, installations or sites as of 1989-01-01 and the second set of reports would describe the status of the facilities, installations or sites as of 1993-12-31 and describe the activities undertaken during the preceding six-month period. Subsequently, discussions were held with the respective Directors General, or their representatives, at the other sites and assurance was received that work was in progress, with high priority, to prepare revised reports.

6. Further discussions were held with the Iraqi counterparts during a mid-inspection progress meeting and at the inspection closing meeting where additional aspects of the requirements for these reports were further clarified and the Iraqi side stated their intention to forward the two sets of reports during the week following the inspection. UNSCOM-Baghdad informed the IAEA that a large number of reports were actually delivered to them on 1994-03-03.

7. In response to requests from the Iraqi side for the release of certain items of equipment and material the team allocated resources to examine the items involved during visits to Tuwaitha, Tarmiya and Al Qaim. It was evident that the staff at Al Qaim were unprepared for the inspection and much time was lost in attempting to locate and identify the equipment involved. This activity will need to be continued at the next inspection at which time it is expected that the requested estimate of the uranium hold-up in the plant will be provided by the facility management. Formal requests have been received with respect to the Tuwaitha and Al Qaim sites and a list of items, for which release would be requested, was handed to the team during the inspection at Tarmiya. These requests are receiving attention and a formal response will be provided to Iraq in due course.

8. Samples of dilute phosphoric acid and tri-superphosphate product were taken from Al Qaim and a sample of furnace lining cement, which was detected to contain traces of radioactivity, was taken from Rashdiya.

ACTIVITIES RELATED TO EQUIPMENT

9. During IAEA-23 35 facilities, installations and sites were visited in connection with the inspection of equipment subject to monitoring in accordance with Annex 3 of the OMV. Three of these locations, as indicated in Table 1, were visited for the first time by an IAEA inspection team. Several of the inspections were carried out at short notice.

10. A number of machine-tools which were declared, during IAEA-22, in accordance with Annex 3 of the OMV were newly tag-sealed and tag-seals were detached from a number of machine-tools which have been determined not to meet the Annex 3 criteria. Good progress was made in the consolidation of the list of machine-tools covered by Annex 3 of the OMV but some further work will be necessary to ensure that the list is comprehensive. Progress was also made in the specification of inspection procedures with respect to the ongoing monitoring of machine-tools.

11. Substantial progress has been made in verifying the inventory of the Matrix-Churchill CNC turning machines imported into Iraq and in determining whether any of these machines are of a quality that would require their declaration and monitoring in accordance with Annex 3 of the OMV. In November 1993 the Iraqi side stated that a total of 278 Matrix Churchill CNC turning machines had been delivered. This number corresponds closely to the figure of 280 provided by UK authorities, based on their review of export licences. To date 272 Matrix-Churchill CNC turning machines have been located and examined by IAEA inspection teams in Iraq. Their distribution is summarised in Table 2. Machine-tool experts, who assisted the IAEA in the evaluation of the capability of these machines, have advised that none of the identified machines are of a quality that would require their declaration and monitoring in accordance with Annex 3 of the OMV. Furthermore a written statement has been provided by the successor company to Matrix-Churchill certifying that none of the Matrix-Churchill turning machines supplied to Iraq would meet the Annex 3 quality specification. In view of this statement and the comprehensive corroboration obtained through inspection it has been determined that none of the 280 Matrix-Churchill turning machines supplied to Iraq would be subject to declaration and monitoring in accordance with Annex 3 of the OMV.

12. In conjunction with inspections of equipment subject to Annex 3 of the OMV the opportunity was taken to inspect, at short notice, the General Establishment for Fertilisers at Basrah which, in accordance with paragraph 22 (f) of the OMV, had been identified as a location with a means of power supply greater than 10 MVA. The establishment, which has a sub-station rated at 40 MVA is a major producer of urea and ammonia.

ACTIVITIES RELATED TO THE INVENTORY OF NUCLEAR MATERIAL

13. The material contained in 59 drums of waste declared to have been transferred to Location C from evaporation tank B at Al Jesira was examined and its appearance was found to be consistent with its stated origin. On the basis of ad hoc non-destructive measurements the uranium content of the total consignment was estimated to be 50 Kg (+/- 50%), which represents an insignificant contribution to the outstanding balance of 5,300 Kg in the material assigned, in the FFC[1], to the "Waste retention basin" at Al Jesira. Samples were taken for analysis but it is not expected that the results of this analysis will greatly influence the above estimate. The drums are now stored between the inner and outer doors of the right side storage at Location C.

14. In addition to the waste drums, a consignment, declared to comprise 144 filters from Al Jesira, packaged in 103 plastic sacks had been transferred to Location C and was stored on the concreted area outside the left side storage. The packaging was badly damaged and presented a significant risk of spread of uranium contamination. Indeed some uranium compound had already spilled out onto the ground. With the assistance of the Iraqi counterparts prompt action was taken to repackage the filters and transfer them to storage between the inner and outer doors of the left side storage at Location C.

[1] Full final and complete report required under UN Security Council Resolution 707 (1991). This report entitled "Iraqi Nuclear Programme before and after SCR 687" was prepared by the Iraqi Atomic Energy Commission in June 1992. The report includes a "Nuclear material flow chart" which records a total amount of 13 tonnes of natural uranium to be accumulated in the three evaporation tanks which make up the "Waste retention basin" at Al Jesira. The material recovered from tank C was sampled during IAEA-15 and the results of analysis showed the natural uranium content to be 7,700 Kg +/- 300 Kg, thus indicating that the content of the remaining two tanks should be of the order of 5,300 Kg.

15. In the course of this transfer an estimate of the total number of filters was made which was in reasonable agreement with the declaration. An estimate of the weight of contained uranium compound was made indicating that the filters contain some 400 Kg (+/- 25%) of uranium compounds. Samples have been taken for analysis. The material collected on the filters appeared to be either yellowcake or UO_3 and the loading of the filters varied considerably giving the impression that they had been used in a serial arrangement of primary and secondary banks. Some filters showed only minor discoloration whereas others were almost blocked indicating that they had probably been used as primary filters in a ventilation system servicing a location with a very high concentration of suspended particulate. It is not clear from which part of the process at Al Jesira these filters originate and clarification will be sought from the Iraqi counterparts.

16. The work started in IAEA-22 on the characterisation of the UO_2 material declared to be of Brazilian origin was continued and a clearer understanding was obtained with respect to the probable distribution of material between the two declared consignments. No additional activities are foreseen for this topic pending assessment of the results of analysis of the samples taken during IAEA-22 and IAEA-23. A request has been made to the Brazilian government for the provision of information through which to corroborate the findings of this examination.

17. There is still some confusion with respect to the location of the filters removed from the Building 73 complex and the associated filter bank housing. The Iraqi counterparts have again been asked to locate these items and to make them available for inspection.

ACTIVITIES RELATED TO SURVEILLANCE SYSTEM INSTALLATION

18. A video surveillance system, comprising two television based units, backed up by two film camera units, was installed in the "vertical boring machines" workshop at Um Al Ma'arik, formerly Auqba Bin Nafi, where the major components of the EMIS modules had been fabricated. The surveillance system is designed to monitor the nature of the workpieces processed in this workshop.

19. The Iraqi counterparts and the Director General of Um Al Ma'arik undertook to use their best endeavours to ensure: continuity of power supplies to the surveillance system; continuity of illumination in the workshop, at a level not less than 50% of full capacity and avoidance of obstruction of the field of view of the cameras. They also undertook to ensure that any ad hoc lighting systems used in the workshop are not directed towards the surveillance cameras and that administrative measures would be introduced to prevent accidental switching off of power supplies or illumination.

20. In discussions following completion of the installation the facility management stated that they understood the need for continuity of power supplies and illumination but, in view of the current situation in Iraq, no guarantees could be made. Full assistance was provided by the facility management and technical staff to facilitate the installation of the video surveillance system.

ACTIVITIES RELATED TO THE TAMUZ-1 / TAMUZ-2 REACTORS

21. A comprehensive inspection of the inventory of the major components of the Tamuz-1 (TMZ-1) and Tamuz-2 (TMZ-2) reactors was carried out with the active participation of an expert from the supplier state. The work involved inspections at the TMZ-1 and TMZ-2 sites, at the Al Shaykhili warehouse and at an external warehouse. The lower water box, the tubular block and six control rod mechanisms were declared to remain in the TMZ-1 pool and access to these components is impossible at this stage because the basement of the reactor building is completely flooded with water. The reactor lower water box, the core grid and the chimney were observed to remain in place in the TMZ-2 reactor pool. With these exceptions, of all of the sensitive components of both reactors were directly examined. Schematic diagrams of the reactors are appended as figures 1 and 2.

22. In addition to the above inspection activities the inspectors interviewed the principal IAEC staff who had been most closely involved with the project. Although it was not possible to account for some 700 to 900 litres of the TMZ-2 heavy water inventory, which was claimed to have been lost or fully degraded through bomb-damage during the Gulf war, the explanation of the loss mechanisms was accepted as being credible. It is also relevant to note that an additional 1,000 to 1,100 litres of the TMZ-1 heavy water inventory was reported to have been lost or fully degraded as a result of the Israeli bombing in 1981.

23. The conclusions and recommendations resulting from these inspection activities record that all of the sensitive components of the Tamuz-1 and Tamuz-2 reactors, listed in the legends of figures 1 and 2, had been satisfactorily accounted for, with the exception of items 1, 2 and 3 of figure 1, as explained in paragraph 21. No further action is required in this regard. Similarly, no further follow-up action is recommended with respect to the heavy water inventory in view of the relatively small amount involved. It is however recommended that arrangements be made to remove the high intensity gamma source from one of the damaged hot cells and subsequently, to recover the hoists and tele-manipulators and transfer them to secure storage.

ACTIVITIES RELATED TO THE 2nd UNSCOM GAMMA SURVEY EXERCISE

24. High resolution gamma spectrometric measurements were made at a number of locations identified during the second UNSCOM gamma exercise. The data obtained from measurements made at Tuwaitha, Al Jesira and Al Atheer are undergoing detailed evaluation but preliminary results indicate that the radiation signals detected at the measured points probably relate to accumulated radioactive waste, radioactive contamination resulting from bombing during the Gulf War or to high intensity sources used in lightning rods.

ACTIVITIES RELATED TO THE PLANNED HMX RELOCATION

25. The planned transfer to Muthanna of the HMX explosive material, currently in sealed storage at Al QaQaa, was postponed because the work in progress by UNSCOM 68 had required the imposition of stringent safety precautions at the Muthanna site. Not only would the requirement to wear full protective clothing, including respiratory protection, have greatly complicated the task but the handling of explosive material in a an area potentially contaminated with toxic agents would have involved unnecessary risks. The bunker area of the Muthanna site will be visited, as conditions permit, in order to confirm that the modifications required to ensure secure storage have been made, following which the arrangements for the relocation of the HMX material will be rescheduled.

ACTIVITIES RELATED TO REMOVAL OF IRRADIATED ENRICHED URANIUM

26. The second and final consignment of irradiated enriched uranium fuel was successfully packaged and shipped from Iraq at the conclusion of IAEA-23. The remaining irradiated fuel which had been stored at Location B and at the IRT reactor site was cleaned and transferred to four shielded transport flasks. The flasks were then tested, sealed and loaded into ISO containers and transported, by road, to Habbaniya airport on 1994-02-11. IAEA radiation protection staff were in attendance throughout the exercise and an ICAO/IATA Dangerous Cargo Inspector was present to review the documentation and inspect the loaded flasks and ancillary equipment that was to be shipped. The fuel flasks and ancillary equipment were loaded onto an Antonov 124 on 1994-03-12 and flown to Ekaterinburg the same day.

27. This shipment completed the task of removing all of the, direct weapons usable, nuclear material from Iraq.

Table 1. Locations Visited during IAEA-23

	Tuwaitha	
	Al Shaykhili	
	Location C	
	Um Al Ma'arik	
	Hatteen	
	Iskandaria	
	Al Rafah	
	Al Ameer	
	Lead Smelting Factory	Fallujah
	Binwalid	
	Al Sharqat	
	Al Radwan	
	Ibn Al Haytham	
	Al Kindi	
	Al Jesira	
	State Establishment for Electrical Industry	
	Al Karama	
	Salah Al Din	
	Nassr	Taji
	Tarmiya	
	General Establishment for Iron & Steel	Basrah
	Rashdiya	
*	General Establishment for Fertilisers	Basrah
	Al Qaim	
	Al Nidda	
	Zaura	
	State Enterprise for Heavy Eng. Equipment	Daura
*	General Establishment for Wool Industry	Kademiya, Baghdad
	Al Mufahid Mechanical Design Centre	Schuala
	MIC storage	Baghdad North Gate
	Al Qa Qaa	
	Iskandariya car factory	
	Badr	
	Al Kadesiya	
	Industrial Engine Factory	Daura
	- Zemzem 75	Storage Site
	- Muharrik Al Senal	Diesel motor production
	Al Atheer	
	Geological Survey Pilot Plant	Baghdad
	Al Furat Project Site	Al Walid
	Al Mansour Electronics Factory	
	Space Research Centre	Ibn Al Haytham
*	Military factory	15 Km south of Falluja

* *Visited for the first time*

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Table 2. Distribution of Matrix-Churchill CNC Turning Machines

LOCATION	IRAQI DECLARED 2.11.93	DECLARED SHIPPED BY UK	SEEN BY IAEA	NOT SEEN BY IAEA
Hatteen	102	102	102	0
Nassr (Taji)	69	57	69	0
Al Nahrawan	51	53	50	1
Al Radwan	2	0	1	1
Al Ameer	2	0	2	0
Salah-Al-Din	1	0	0	1
Binwalid	6	0	3	3
Zaura	1	0	1	0
Al Nidda	4	0	4	0
Basra Steel Mill	2	0	2	0
Wool Textile Est.	1	0	1	0
Ibn Al Haytham	1	0	1	0
Ind Engine Factory	2	0	2	0
Um-Al-Marik	3	0	3	0
Badr	3	0	3	0
Al Qa Qaa	2	0	2	0
State Elec. Est.	13	0	13	0
MIC Storage	3	0	3	0
Al Karama	10	0	10	0
Vot-Nassr (kits) *		68		
	278	280	272	6

* 68 Matrix-Churchill turning machines were supplied to Iraq in kit form and were distributed to various locations following assembly. The turning machines constructed from kits are identifiable through the Vot-Nassr nameplate.

Figure 1. Schematic diagram of the Tamuz-1 reactor

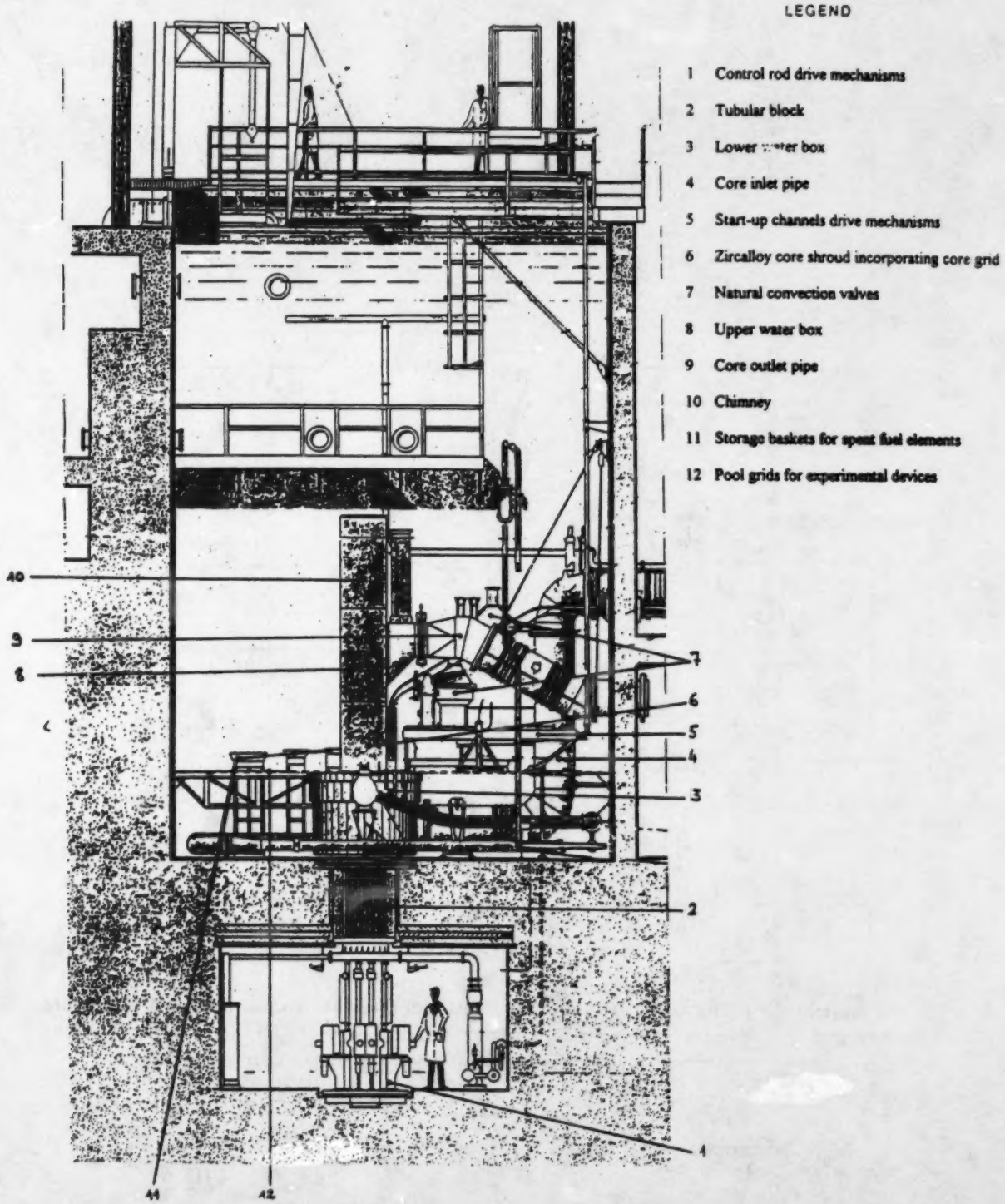
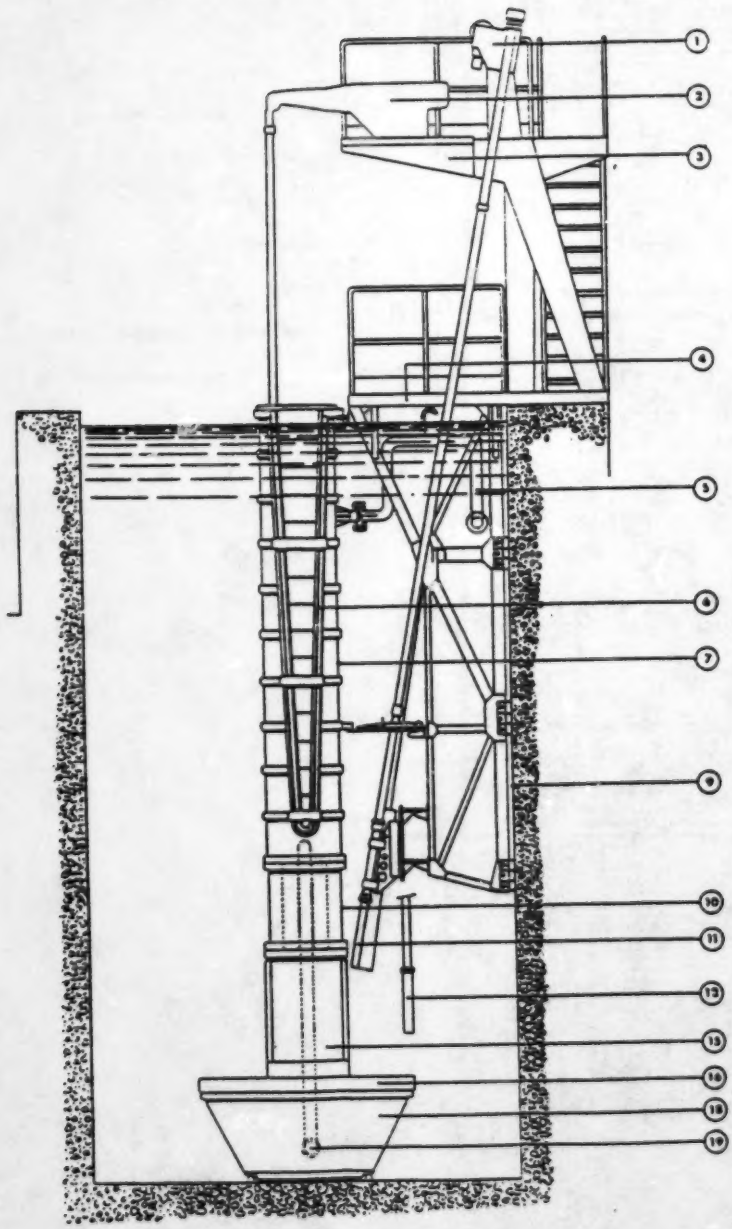


Figure 2. Schematic diagram of the Tamuz-2 reactor



LEGEND

1 Nuclear chambers mechanisms
2 Control rods mechanisms
3 Control rod drive stand
4 Catwalk
5 Primary circuit outlet
6 Movable cofferdam
7 Stainless steel chimney

9 Stainless steel liner
10 AG3 aluminium chimney
11 Detector for automatic flux control channel
12 Detector for power adjustment channel

15 Core grid
16 External grid

18 Water box
19 Primary circuit inlet

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Agenda items 34, 35, 85
and 86
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
UNITED NATIONS RELIEF AND WORKS
AGENCY FOR PALESTINE REFUGEES
IN THE NEAR EAST
REPORT OF THE SPECIAL COMMITTEE
TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-ninth year

Letter dated 29 March 1994 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General

I am instructed by the Executive Committee of the Palestine Liberation Organization, which retains the powers and responsibilities of the Provisional Government of Palestine, to bring the following to your attention.

Last night, at approximately 7.45 p.m. local time, in the Jabalyia Refugee Camp, Gaza Strip, an Israeli army undercover unit (death squad) ambushed a group of Palestinian youth activists, who were wearing uniforms and were riding in two cars. The Israeli soldiers opened fire at the group, killing all six of them and also injuring a large number of other people in the immediate vicinity, including a 12-year-old boy, who remains in critical condition.

This latest criminal action by the Israeli authorities comes at a time when the parties are trying to reach agreement in implementation of Security Council resolution 904 (1994), and to break the impasse in the peace process created by the massacre in Al-Haram Al-Ibrahimi on 25 February 1994. Unfortunately, since that massacre, it is becoming more clear that the Israeli army is following a policy of escalation and increased repression against our people that has led to a high number of casualties among the Palestinian people in the occupied

Palestinian territory, including Jerusalem, which includes more than 40 deaths. This situation is severely undermining the prospect for progress in the peace process and threatens to cause a general explosion of the situation, for which Israel, the occupying Power, is responsible.

We call upon the international community to bring an end to such a situation, and we emphasize again the immediate need for international protection for the Palestinian people through a direct international presence in the occupied Palestinian territory.

I would be grateful if you could arrange to have the text of the present letter distributed as an official document of the General Assembly, under agenda items 34, 35, 85 and 86, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

UNITED
NATIONS

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GENERAL ASSEMBLY
Forty-ninth session
Item 81 of the preliminary list*
COMPREHENSIVE REVIEW OF THE WHOLE
QUESTION OF PEACE-KEEPING
OPERATIONS IN ALL THEIR ASPECTS

SECURITY COUNCIL
Forty-ninth year

Letter dated 29 March 1994 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit the text of a joint statement made by the Ministry of Foreign Affairs and the Ministry of Defence of the Russian Federation on 29 March 1994.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under item 81 of the preliminary list, and of the Security Council.

(Signed) Y. VORONTSOV

* A/49/50.

ANNEX

Joint statement of 29 March 1994 by the Ministry of Foreign Affairs and the Ministry of Defence of the Russian Federation

Recently, ideas have been appearing in statements by foreign politicians and in foreign media publications, as well as in the course of discussions in international forums, about the "equivocal nature" of the Russian Federation's peace-keeping mission in the territory of a number of countries forming part of the Commonwealth of Independent States (CIS). Statements about the Russian Federation's "neo-imperial ambitions" are becoming increasingly common. Whatever form these reproaches take, their essence is invariably reduced to one thing: the Russian Federation, under the pretext of peacemaking activity - and virtually bypassing the universally accepted norms of international law - is allegedly stepping up the pressure on its neighbours and demanding for itself the right to "interfere" in their internal affairs. This involves not only arbitrary interpretation of the facts, but also their voluntary or involuntary distortion.

The main argument advanced by the proponents of this view of Russian peacemaking in neighbouring States is the idea of what is termed the "unilateral" dispatch of troops by the Russian Federation to unstable regions. The conclusion to be drawn from this premise is that the world community's involvement in peacemaking efforts to resolve conflicts in the territory of the former USSR must entail controlling the actions of the Russian Federation.

We do not wish to exaggerate the significance of this attitude in certain political and social circles in both the West and the East. The leaders of the majority of countries are exhibiting a responsible and sober approach which acknowledges the real and positive role of the Russian Federation in containing and resolving crisis situations. The Russian Federation would like a stronger and genuine partnership based on equality and on mutual trust and respect to be established in real terms, not just at the level of declarations or intentions, in the sphere of peacemaking in the CIS countries.

To this end, we deem it appropriate to draw attention to a number of fundamental political and international legal aspects of the Russian Federation's participation in peacemaking activity within CIS.

The Russian Federation's actions are aimed solely at halting armed confrontations in a number of newly independent States, stabilizing the situation there and creating conditions for a long-term and lasting settlement. We are proud of the fact that thanks to the presence of Russian peacemaking forces in "hot spots", far greater losses among the civilian population have been prevented.

Our efforts are being deployed against the background of the dramatically complex economic and financial situation in the Russian Federation itself, and involve the diversion of considerable resources to peacemaking purposes: in the last 10 months alone, expenditures in this respect (making allowance for the complexity of accurate calculations and the inadequate equipment of our

peacemakers as compared with the United Nations "Blue Helmets") have amounted to around 26 billion roubles. More than 15,000 Russian military personnel are stationed at "hot spots" in the territory of CIS States.

Peacemaking in the CIS countries is not an "independent Russian activity". In every case, without exception, our activities are conducted at the request and with the consent of the States concerned and the parties to the conflict. The peacemaking contingents are deployed on the basis of bilateral and multilateral agreements which are in conformity with the rules of international law. This is fully consistent with the provisions of the United Nations Charter, pursuant to which dealing with matters relating to the maintenance of peace on the basis of arrangements among interested States is not only permitted, but welcome (Article 52 of the Charter). The only exception is in the case of enforcement action, which pursuant to Article 53 of the Charter must be taken under the authority of the Security Council. However, none of the current peacemaking operations in the territory of the former USSR falls under this provision, in that they are not enforcement actions and are conducted with the consent of all parties to the conflict concerned. The United Nations and the Conference on Security and Cooperation in Europe (CSCE) are kept regularly informed of the progress of all these operations.

The Russian Federation consistently advocates the broadest possible participation of the United Nations and CSCE in the settlement of conflicts in the CIS countries. However, no permission of any kind is required from the United Nations or CSCE for peacemaking operations involving the Russian Federation and its neighbours and conducted on the basis of the criteria set forth above. These operations are carried out on the basis of the sovereign rights of the States in question, as embodied in the Charter of the United Nations, and need no further legitimization. Another point is that cooperation with the United Nations and CSCE, and their active and objective support for the peacemaking efforts by the Russian Federation and its neighbours, could be of real assistance in securing more effective and rapid settlement of the conflicts. This indeed is what we advocate in proposing that the United Nations and CSCE cooperate with the peacemaking operations in the CIS countries in various ways, including the sending of missions, observers, advisers, etc. The Russian Federation will also be prepared to participate in peacemaking operations of the United Nations and CSCE in the territory of the former USSR, if the parties to a given conflict request these organizations to establish such operations and a decision to conduct them is taken.

It should also be noted that the delayed response to the numerous appeals by CIS countries to the United Nations and CSCE for support (particularly in relation to the conflicts in Abkhazia and Tajikistan) means that the agreements between the Russian Federation and its neighbours, along with the mechanisms established within the framework of CIS, remain the principal peacemaking instruments in the region. It is precisely through them that the problems of maintaining international peace and security here are now being resolved, and they constitute an inseparable part of the maintenance of world-wide stability. The world community must acknowledge this objective reality, and begin to cooperate more closely with the Russian Federation and its neighbours. This would moreover enable all "doubters" to convince themselves of the

"transparency" of these peacemaking operations and the lack of foundation for the suspicions that have arisen with respect to them.

The Russian Federation, in pursuing a firm policy of ensuring peace and stability around its borders and the discharge of its obligations under agreements with the countries concerned and within the framework of CIS, is not directing its efforts against anyone at all. We do not seek for ourselves a special status or an exclusive role, but nor shall we shrink from our responsibility for the situation in this key region for the Russian Federation. We are prepared to cooperate constructively on these issues with the United Nations, CSCE and the world community as a whole.